

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF TEXAS**

JIMMIE MARK PARROTT, JR.,

Plaintiff,

*versus*

BRIAN COLLIER, *et al.*,

Defendants.



CIVIL ACTION NO. 1:20-CV-454

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Jimmie Mark Parrott, Jr., an inmate confined at the Stiles Unit, proceeding *pro se*, brought this lawsuit pursuant to 42 U.S.C. § 1983.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends granting the defendants' motion for summary judgment as to plaintiff's claims asserted against them under the Texas Tort Claims Act. Additionally, the magistrate judge recommends granting the defendants' motion as to plaintiff's claims of excessive force against defendant Stanley Smith. Finally, the magistrate judge recommends denying the defendants' motion as to plaintiff's remaining claims.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

## ORDER

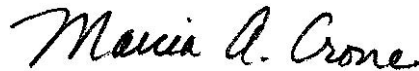
Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. It is

**ORDERED** that the defendants' motion for summary judgment is **GRANTED** with respect to plaintiff's claims asserted against them under the Texas Tort Claims Act. It is further

**ORDERED** that the defendants' motion for summary judgment is **GRANTED** with respect to plaintiff's claims of excessive force against defendant Stanley Smith. Finally, it is

**ORDERED** that the defendants' motion for summary judgment is **DENIED** as to plaintiff's remaining claims against them.

SIGNED at Beaumont, Texas, this 27th day of September, 2022.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE